Criminal Misc. App. No. 873 of 2006

Hon. Prafulla C. Pant, J.

Heard learned counsel for the petitioners and learned Assistant Government Advocate and perused the papers on record.

By means of this petition, moved under Section 482 Cr.P.C., the petitioners have challenged the proceedings in criminal case No. 1547 of 2006, relating to offences punishable under Sections 323, 324, 452, 325, 504, 506, 427 I.P.C. The petitioners have challenged the proceedings on the ground that the petitioners are innocent and the injuries alleged are not caused in the manner, alleged by the prosecution. These are the disputed facts of questions, which are to be examined by the trial court. This Court, at this stage is not expected to appreciate or to comment on the truthfulness of the prosecution story.

In the circumstances, the petition under Section 482 Cr.P.C. is dismissed in limine with the observation that all the pleas relating to innocence, raised before this Court may be raised before the trial court by the petitioners. It is further observed that if the petitioners not on bail and are arrested or surrender before the trial court, their bail applications, if moved, shall be heard and disposed of without unreasonable delay.

Dt. 04.11.2006 (P.C. Pant, J.)

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